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## LEGISLATION FOR THE PROTECTION OF WORKING MEN.

There has been a great increase of late years in the number of statutes passed by the various States of the Union designed to protect the workman in the pursuit of his occupation and in his rights. This increase has been partly due to the growth and development of the humanitarian spirit, resulting in the enactment of laws providing for the physical safety and comfort of workmen and restricting the work of women and children to such occupations and limits as will prevent the evils which arise from their unrestrained employment. It has also been partly due to the growth and development of the trades union movement, resulting in the recognition of the right of labor to organize, and in the passage of a large number of acts designed to diminish the evils which had grown up as an incident of the unrestricted freedom of contract, the advantages of which rested with the employers.

Most of the States and territories\* have what are popularly known as "Factory and Work Shop Acts," providing with more or less detail the conditions which must be maintained in manufacturing establishments. For instance, that the premises shall be kept in a clean condition and free from effluvia; that they shall be so ventilated that the air will not become so exhausted or impure as to be injurious to the health; that there shall be a sufficient number of water closets; that where dust is generated in the course of manufacture, fans or other mechanical means for disposing of it must be maintained; that hoisting shafts and well-holes must be properly and substantially enclosed or secured; that automatic shifters must be used where there is dangerous machinery; that there must be suitable and proper wash rooms; that not less than forty-five minutes must be allowed for luncheon, and so on.

These laws also deal with such questions as the number of persons to be employed in a room; the number of cubic feet of air to be allowed for each employe and other matters pertaining directly to their health and well-being. They also quite generally provide for a bureau or department of inspection, charged with the duty of ascertaining the existence of any violations of the laws and enforcing the penalties prescribed.

To prevent accidents in factories Massachusetts, Michigan, Minnesota, Missouri, New Jersey, New York, Ohio, Pennsylvania and Rhode Island have enacted comprehensive laws relating to the location of dangerous machinery, intended to protect workmen to the

\*Cal., Col., Conn., Del., D. C., Ga., Ill., Ind., Iowa, Ken., La., Me., Md., Mass., Mich., Minn., Miss., Mo., Mont., Neb., N. H., N. J., N. Y., N. D., Ohio, Okla., Pa., R. I., S. C., S. D., Tenn., Utah, Vt., Va., Wash., W. Va. and Wis.

fullest extent and to reduce the chance of accident to a minimum. Thus the Minnesota law requires that all dangerous machinery must be enclosed or fenced in ; that no machine shall be used when it is known to be defective ; that hoistways, hatchways and elevator-wells must be protected, and elevators regularly inspected ; that proper means of egress in case of fire must be maintained ; that there must also be external fire escapes, and further that every accident shall be promptly reported, with all details, to the commissioner of labor.

Twenty-three States\* require external fire escapes, the number and location being regulated by the height of buildings and the number of persons employed. Some States, like Pennsylvania, go further and require that in each room there must be placed well secured ropes of sufficient length to reach to the ground, and red lights maintained near stairways and hallways.

Official inspection of *factories* is provided for in Connecticut, Illinois, Maine, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, West Virginia ; of *mines*, in Arkansas, Alabama, California, Idaho, Illinois, Indiana, Iowa, Nebraska, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, West Virginia and Wisconsin ; and of *steam boilers*, in California, Colorado, Connecticut, Illinois, Kansas, Maryland, Massachusetts, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, New York, Ohio, Pennsylvania, Tennessee, Vermont, Washington.

Regulations regarding mines and mining varying with the character of the mines, are prescribed by law in twenty-one states. These as in the case of the Pennsylvania statutes deal with the most minute details and are designed to reduce the dangers naturally incident to such work. These laws, covering many pages of the statute books, are based upon experience and are modified from time to time as science and practice show to be necessary. One of the principal features of such legislation is the requirement for adequate private inspection under competent official supervision.

There is not quite so much legislation to protect railway employes ; only eighteen States† requiring the use of safety couplers and power brakes ; and only seven‡ requiring enclosed front platforms for the motormen of street railway cars. Private enterprise in many

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† Conn., Ill., Iowa, Ky., La., Me., Mass., Mich., Minn., Miss., Mo., Neb., N. H., N. Y., Ohio, R. I., Vt. and Wis.

‡ Ind., Mich., Minn., N. J., Ohio, Wash. and Wis.

cases, however, provides these safety appliances, experience demonstrating that such a policy is far wiser and more economical.

There has been a very general recognition of the necessity of legislation prescribing the conditions under which women and children may be employed. Much of this comes under factory and workshop legislation ; but a large number of laws is exclusively devoted to an enumeration of the lines of activity in which they may be employed and the number of hours they can be worked. Forty-three States\* and the Federal government have laws dealing with the question of the employment of children. The Massachusetts law, which is one of the more comprehensive, forbids the employment of any child or woman between the hours of 10 p. m. and 6 a. m., or of any minor under fourteen years of age, before 6 a. m. or after 7 p. m. Between the ages of eight and fourteen years children must attend school at least thirty weeks in each year. No minor shall be employed more than fifty-eight hours in any one week and no minor under thirteen years can be employed at all. Where minors are employed they must be permitted to take their mid-day meal at the same hour and they must not be employed more than six hours without intermission. A record of all minors employed must be kept by the superintendent or foreman and a return thereof made to the department of labor.

Twenty-five States† have laws dealing with the employment of women, in so far as the question of hours of labor is concerned. The New York law forbids the employment in any factory of any woman under twenty-one years of age for more than sixty hours in any one week. The Wisconsin law limits the time to eight hours per day for all women. Domestic service and work in mercantile establishments are quite generally excepted. Indeed for this latter class there has been practically no legislation, although the following States : Alabama, California, Colorado, Connecticut, Delaware, District of Columbia, Georgia, Indiana, Iowa, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Washington, require that seats shall be furnished for female employes in stores. Thirty-three States‡ have statutes securing to married women their separate earnings

\* Ala., Ark., Cal., Col., Conn., Del., D. C., Fla., Ga., Idaho, Ill., Ind., Iowa, Kan., Ken., La., Me., Md., Mass., Mich., Minn., Miss., Mo., Mont., Neb., N. H., N. J., N. Y., N. C., N. D., Ohio, Okla., Pa., R. I., S. D., Tenn., Utah, Vt., Va., Wash., W. Va., Wis. and Wyo.

† Ala., Cal., Conn., Ill., Ind., La., Me., Mass., Mich., Minn., Mo., Neb., N. H., N. J., N. Y., N. D., Ohio, Pa., R. I., S. D., Utah, Va., W. Va., Wis. and Wyo.

‡ Ala., Ariz., Ark., Cal., Conn., Del., D. C., Fla., Ill., Ind., Iowa, Kan., Me., Md., Mass., Mo., Mont., N. H., N. J., N. M., N. Y., N. D., Okla., Pa., R. I., S. C., S. D., Vt., Va., Wash., W. Va., Wis. and Wyo.

which they may sue for and hold free from interference of their husbands and invest as their own separate estate.

All the States and territories (forty-five) with but one or two exceptions forbid all Sunday labor; works of charity and necessity and domestic service, alone excepted.

The question of the payment of wages has always been a mooted one. Employers if left to their own devices are likely to pay at their leisure and convenience in depreciated currency, in store and truck orders or their own scrip. The disadvantages of such a course to the workman is obvious, and accordingly he has not been slow to urge the passage of laws providing for the regular stated payment of wages, in lawful money of the United States. Thirty-five States\* have statutes dealing with the means, methods and time of the payment of wages. In some States different rules for different trades are recognized and allowed. The Washington law makes it unlawful "to issue, pay out or circulate for payment of wages of any labor, any order, check, memorandum, token or evidence of indebtedness, payable in whole or in part, otherwise than in lawful money of the United States; unless the same is negotiable and redeemable at its face value, without discount on demand, at the store or other place of business of such firm, company or corporation."

The "Company Store" evil grew out of the laxity permissible in the payment of wages. In Illinois, Indiana, Iowa, Kansas, Louisiana, Maryland, Missouri, New Jersey, New Mexico, New York, Ohio, Pennsylvania, Tennessee, Virginia, Washington and West Virginia, to use the words of the Illinois statute, it is forbidden "that any company, corporation or individual engaged in manufacturing or mining shall be directly or indirectly interested in a store, shop or scheme to supply tools, clothing, provisions or groceries," or to use the terms of another statute on the subject, "to coerce any employe to purchase his or her goods at a certain designated place."

Employes are protected from coercion in the exercise of their political rights in thirty states.† The New Jersey statute on this point may be quoted as typical—"Any employer of any workman or any agent, superintendent or overseer of any company or corporation employing workmen, or any person whomsoever who shall, directly or indirectly, by himself or by any other person in his behalf or by his direction, make use of or threaten to make use of any force, violence

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† Ariz., Ark., Cal., Col., Conn., Del., Idaho, Ind., Ia., Kan., Ken., La., Mass., Mich., Minn., Mo., Mont., Nev., N. J., N. M., N. Y., N. C., Ohio, Pa., S. C., S. D., Tenn., W. Va., Wisc. and Wyo.

or restraint or inflict or threaten to inflict by himself or by any other person any injury, damage, harm or loss against any person or persons in his employ, in order to induce or compel such employe or employes to vote or refrain from voting for any particular candidate or candidates at any election or on account of any particular candidate or candidates at any election, or who shall by any sort of duress, constraint or improper influence, or by any fraudulent or improper device, connivance or scheme, impede, hinder or prevent the free exercise of the franchise of any voter at any election, or who shall thereby compel, induce or prevail upon any voter to vote for or against any particular candidate or candidates at any election shall be guilty of a misdemeanor." Time to vote must be allowed to employes according to the law in Arizona, California, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Massachusetts, Minnesota, New York, Ohio, Oklahoma, South Dakota, Tennessee and West Virginia.

Twenty-five States\* have statutes dealing with various phases of the question of the coercion of employes. Some deal solely with the political phase; others deal, as we have already seen, with the matter of purchases of groceries and provisions; and still others with the right of employes to belong to labor organization, of which we shall speak further on. Forced contributions from railroad employes to beneficial organizations are forbidden in Indiana, Maryland, Michigan and New Jersey.

Alabama, Colorado, Florida, Georgia, Indiana, Illinois, Iowa, Minnesota, Montana, Nevada, North Dakota, Utah, Virginia and Wisconsin have laws forbidding the practice of blacklisting. The Colorado statute may be quoted as a typical illustration of this class of legislation:—"No corporation, company or individual shall blacklist or publish or cause to be published or blacklisted any employe, mechanic or laborer discharged by such corporation, company or individual with intent to prevent him from engaging in or securing similar employment."

In a number of States convict labor must be restricted to breaking stone in the highway and to work about the place of detention. In some (as in Kansas) agricultural labor and mechanical industry may be resorted to as a means of reformation. The Massachusetts law provides for the instruction of prisoners in valuable trades and prohibits the contract system. It requires that the number of prisoners employed in any one line of industry must not exceed one-twentieth of those similarly employed in the State and that never more than 250 can be employed in any one line. In some States the

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use of machinery is forbidden. Every State and territory has a statute on this subject.

The United States law makes it unlawful for any person or corporation to prepay the transportation or in any way assist or encourage the importation or migration of any alien or aliens into the United States under contract or agreement, parol or special, express or implied, made previously to the importation or migration of such alien or aliens. The employment of aliens on public works is forbidden in Idaho, Illinois, Pennsylvania and Wyoming; and in California, Colorado, Nevada and Oregon the employment of Chinese by corporations and public authorities and contractors is also forbidden.

A Pennsylvania law provides that no sheriff, mayor or other person authorized by law to appoint special deputies, marshals or policemen and no individual, association, company or corporation shall appoint or employ as such deputy marshal or policeman any person who is not a resident of the State; except where the policeman, constable or special is intended strictly for municipal purposes. The employment of non-residents as police is also declared to be unlawful in Illinois, Massachusetts, Minnesota, New York, Texas and West Virginia.

In forty-six States and territories wages in the hands of an employer are exempt from attachment; and in thirty-five States\* wages are by statutes made a preferred claim. In forty-eight States and territories there are statutory and constitutional provisions exempting tools and certain necessities of living from execution; although the power to waive the exemption has been recognized. For instance in New York spinning wheels and looms set up in a dwelling; books (to the value of \$50); ten sheep, one cow, two swine, the necessary food for these and for the family for sixty days; wearing apparel; bed and bedding; and the tools and implements of a mechanic, are exempt. In thirty-three states an exemption from taxation to a somewhat similar extent prevails. For instance in Massachusetts \$1,000 worth of household goods and \$300 worth of tools are so exempt. The States in which such exemptions prevail are Alabama, Colorado, Connecticut, District of Columbia, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, New Hampshire, New Mexico, North Carolina, Ohio, Oklahoma, Oregon, South Dakota, South Carolina, Tennessee, Texas, Utah, Vermont, Washington, Wisconsin and Wyoming.

Next in order to the recognition of the rights of individual laborers

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as such came the recognition of the rights of organized labor and in California, Massachusetts, Minnesota, Missouri, New Jersey, New York, Ohio and Pennsylvania we find statutes making it unlawful for corporations or associations formed under State laws to discriminate against employes because of their membership in labor unions; and in California, Indiana, Massachusetts, Maryland, Minnesota, Montana, New Jersey, New York, North Dakota, Ohio, Pennsylvania and West Virginia, labor combinations have been specifically declared not to be unlawful. In California, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, South Dakota, Texas and Wisconsin, the trade marks of trade unions are recognized and protected from infringement.

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